

EMZILE LEE WILBURN d/b/a,
BIZ-ZZZ LEE'S ENTERPRISE-ZZZ'S
EAST SIDE AUTO REPAIR,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

UNITED STATES OF AMERICA,)
)
 Defendant.)

Before the Court is plaintiff's motion for extension of time to file his amended complaint in correspondence with this Court's July 26, 2012 Memorandum and Order. Plaintiff additionally seeks a copy of the Court's Prisoner Civil Rights Complaint form.

¹Although plaintiff is allegedly filing a claim against the United States pursuant to Bivens v. Six Unknown Named Agents, 403 U.S. 388 (1971), he should still use the Court's form complaint used in Prisoner Civil Rights Actions. A claim under Bivens involves the same analysis as one arising under 42 U.S.C. § 1983. See Gordon v. Hansen, 168 F.3d 1109, 1113 (8th Cir. 1999).

However, plaintiff will not be given any additional time to amend his pleadings without good cause being shown. Rather, if plaintiff fails to amend in a timely manner, this lawsuit will be dismissed, without prejudice.

Accordingly,


IT IS HEREBY ORDERED that plaintiff's motion for extension of time to comply with this Court's July 26, 2012 Memorandum and Order [Doc. #5] is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk shall mail to plaintiff a copy of the Court's Prisoner Civil Rights Complaint form.

IT IS FURTHER ORDERED that no later than thirty (30) days from the date of this Memorandum and Order plaintiff shall file an amended complaint on a court-provided Prisoner Civil Rights Complaint form.

IT IS FURTHER ORDERED that if plaintiff fails to file his amended complaint, on a court-form, within thirty (30) days of the date of this Memorandum and Order, without good cause being shown, this case shall be dismissed, without prejudice.

Dated this 29th day of August, 2012.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE